

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X
IN RE:

Norman Fortner,
Barbara Fortner,
DEBTOR.

Case No. 11-74862
Chapter 13

-----X

SECOND AMENDED CHAPTER 13 PLAN

1. The future earnings of the debtor are submitted to the supervision and control of the Trustee and the debtor shall pay to the Trustee the sum of \$100.00 monthly for a period of eight (8) months (to 03/2012), followed by \$600.00 for a period of four (4) months (07/2012), followed by \$920.00 for a period of five (5) months (12/2012), followed by \$2,897.00 for a period of seventeen (17) months (05/2014) followed by \$200.00 for the remaining twenty-six (26) months (07/2016).

2. From the payments so received, the Trustee shall make disbursements as follows:

a. Full payments in deferred cash payments of all claims entitled to priority under 11 U.S.C. Section 507.

1. Trustee's commission and unpaid attorneys fees of \$2,500.
2. Internal Revenue Service - \$3,793
3. New York State - \$600.00

b. Holders of allowed secured claims shall retain the liens securing such claims and shall be paid the following pre-petition arrears over the term of this plan:

1. CitiMortgage Inc. - Mortgage on 79 Horn Lane, Levittown, NY - Current
2. TD Bank - 2nd Mortgage on 79 Horn Lane, Levittown, NY - Current
3. Bank of America - auto loan on 2003 H3 Hummer - Current
4. Bank of the West - Trailer loan on 2005 Keystone Trailer - Current
5. Susquehanna Patriot Bank - Auto Loan on 2003 H2 Hummer - Current

ALL POST-PETITION PAYMENTS, INCLUDING BUT NOT LIMITED TO, MORTGAGE PAYMENTS, VEHICLE PAYMENTS, REAL ESTATE TAXES and INCOME TAXES, TO BE MADE OUTSIDE THE PLAN BY THE DEBTOR.

c. Subsequent and/or concurrently with distribution to secured creditors, dividends to unsecured creditors whose claims are duly allowed as follows: pro rata distribution to all timely filed proofs of claim of not less than 30,000.00.

3. All lease agreements are hereby assumed, unless specifically rejected as follows: None

4. During the pendency of this case, if the creditors are paid, pursuant to paragraph 2(c), less than one hundred percent (100%), the debtor shall provide the Trustee with signed copies of filed federal and state tax returns for each year no later than April 15th of the year following the tax period. Indicated tax refunds are to be paid to the Trustee upon receipt; however, no later than June 15th of the year in which the tax returns are filed.

Title to the debtors's property shall revert in the debtor upon completion of the plan, unless otherwise provided in the Order confirming this plan. Throughout the term of this plan, the debtor will not incur post-petition debt over \$1,500.00 without written consent of the Chapter 13 trustee or the Court.

Dated: Hicksville, New York
September 6, 2011

s/ Norman Fortner
Norman Fortner, Debtor

s/ Barbara Fortner
Barbara Fortner, Debtor

s/ Scott R. Schneider
Scott R. Schneider, Esq.,
as attorney for Debtor only